FARAD CONTINUATION SHEET NO.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2569 OF 2006

Sagar Harprasad Patel ..Applicant
V/s.
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.Kishor Pashte for the applicant

Mr.K.V.Saste APP for the State.

Coram : R.S.Mohite,J

Date : 2.8.2006.

PC

1. This is an application for grant of bail. The applicant was arrested on 7.10.2005 in connection with C.R.No.459/2005 registered by the Malad police station. In respect of this crime Sessions case no.19 of 2006 is now pending. The prosecution case is that the present applicant threw chilly powder on the Complainant who was carrying a bag containing Rs.3,95,000/- and other accused dealt blows. This incident was occurred on 3.10.2005. There is recovery of sum of Rs.9,000/- and

gold ornaments. There are no antecedents against the present applicant. In the similar circumstances, one of the assailant Dinesh Joshi was released on bail by this Court by order dated 24.4.2006. APP states that the statement that Dinesh Joshi threw chilly powder appears to be factual mistake. Otherwise case is on par with the 3 persons who have been released on bail. In the circumstances, on the ground of parity, bail will have to be granted to the present applicant. It is therefore, directed that pending his trial in Sessions Case No.19/2006, applicant may be released on bail in the sum of Rs.10,000/- with one surety in the like amount subject to the condition that he will report to the I.O. once a fortnight on every 1st & 3rd Mondays. He will not tamper with the evidence. Application stands disposed off.

(R.S.Mohite,J)